



UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE

United States Patent and Trademark Office

Address: COMMISSIONER FOR PATENTS

P.O. Box 1450

Alexandria, Virginia 22313-1450

www.uspto.gov

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/550,476	08/07/2006	Robert L. Crook	VOI049.US	4629
41863	7590	11/04/2008	EXAMINER	
TAYLOR & AUST, P.C.			CAMERON, ERMA C	
P.O. Box 560			ART UNIT	
142. S Main Street			PAPER NUMBER	
Avilla, IN 46710			1792	
			MAIL DATE	DELIVERY MODE
			11/04/2008	PAPER

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

Office Action Summary

Application No.

10/550,476

Applicant(s)

CROOK ET AL.

Examiner

/Erma Cameron/

Art Unit

1792

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --
Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 09 July 2008.
2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 12-30 and 34-44 is/are pending in the application.
4a) Of the above claim(s) _____ is/are withdrawn from consideration.
5) ☐ Claim(s) _____ is/are allowed.
6) ☒ Claim(s) 12-30 and 34-44 is/are rejected.
7) ☐ Claim(s) _____ is/are objected to.
8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☒ The specification is objected to by the Examiner.
10) ☒ The drawing(s) filed on 09 July 2008 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
a) ☒ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. _____.
3. ☒ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
3) ☐ Information Disclosure Statement(s) (PTO/S508)
Paper No(s)/Mail Date _____
4) ☐ Interview Summary (PTO-413)
Paper No(s)/Mail Date _____
5) ☐ Notice of Informal Patent Application
6) ☐ Other: _____

DETAILED ACTION

Response to Amendment

Election/Restrictions

1. Previously withdrawn claims 1-11 and 31-33 have been canceled.

Claim Objections

2. The objection to Claims 16, 17, 20, 23, 26, 29 and 39-42 is withdrawn because of the amendment filed 7/9/2008.

Claim Rejections - 35 USC § 112

3. The following is a quotation of the first paragraph of 35 U.S.C. 112:

The specification shall contain a written description of the invention, and of the manner and process of making and using it, in such full, clear, concise, and exact terms as to enable any person skilled in the art to which it pertains, or with which it is most nearly connected, to make and use the same and shall set forth the best mode contemplated by the inventor of carrying out his invention.

4. The rejection of Claim 19 under 35 U.S.C. 112, first paragraph, is withdrawn because of the amendment filed 7/9/2008.

Art Unit: 1792

5. The following is a quotation of the second paragraph of 35 U.S.C. 112:

The specification shall conclude with one or more claims particularly pointing out and distinctly claiming the subject matter which the applicant regards as his invention.

6. The rejection of Claims 12-30 and 34-42 under 35 U.S.C. 112, second paragraph, is withdrawn because of the amendment filed 7/9/2008.

Claim Rejections - 35 USC § 102

7. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

8. The rejection of Claims 12, 13, 15, 30, 34 and 35 under 35 U.S.C. 102(e) as being clearly anticipated by Kawashima (6531033) is withdrawn because of the amendment filed 7/9/2008.
9. The rejection of Claims 12, 13, 15, 18, 19, 27, 28, 29, 30, 34 and 35 under 35 U.S.C. 102(b) as being clearly anticipated by Eklund et al (5298124) is withdrawn because of the amendment filed 7/9/2008.

Claim Rejections - 35 USC § 103

10. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

11. The rejection of Claims 14, 16, 17, 21-29 and 36-42 under 35 U.S.C. 103(a) as being unpatentable over Kawashima (6531033) is withdrawn because of the amendment filed 7/9/2008.

12. The rejection of Claims 14, 16, 17, 20-26 and 36-42 under 35 U.S.C. 103(a) as being unpatentable over Eklund et al (5298124) is withdrawn because of the amendment filed 7/9/2008.

13. Claims 12-26 and 34-41 and 43-44 are rejected under 35 U.S.C. 103(a) as being unpatentable over Dutt (4847116).

‘116 teaches making a papermakers felt by applying a foam or froth dispersion of polymeric particles that have a diameter of 150 to 500 microns and a binder such as a polyamide to a conventional needled batt-on-base felt (2:3-21; 2:49-68; 3:8-4:19). After application, the coated felt is heated and the polymeric resin particles soften and fuse to each other and to the felt. The polyamide binder would also have the property of an anti-settling agent. ‘116 teaches that the viscosity of the composition that is applied must be controlled.

'116 does not teach the wt% of the various components of the applied composition, but it would have been obvious to one of ordinary skill in the art to have optimized the composition depending on the properties that are desired.

14. Claims 27-30 and 42 are rejected under 35 U.S.C. 103(a) as being unpatentable over Dutt (4847116) taken in view of Eklund et al (5298124).

'116 is applied here for the reasons given above.

'116 fails to teach a wetting agent or calendering the felt.

'124 teaches that a surfactant is a conventional addition to a particle-filled composition applied to a papermachine belt (14:40-55), and that the belt is put thru a press nip (i.e. calendred) (15:59-17:2). It would have been obvious to one of ordinary skill in the art to have added the conventional surfactant and calendering process of '124 to the '116 process, because of the teaching of '124 that these are conventional in making a belt for a papermachine.

Specification

15. The disclosure is objected to because of the following informalities: amendment to page 10: spelling of "pres".

Appropriate correction is required.

Conclusion

16. Applicant's amendment necessitated the new ground(s) of rejection presented in this Office action. Accordingly, **THIS ACTION IS MADE FINAL**. See MPEP § 706.07(a). Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the date of this final action.

17. Any inquiry concerning this communication or earlier communications from the examiner should be directed to /Erma Cameron/ whose telephone number is 571-272-1416. The examiner can normally be reached on 8:30-6:00, alternate Fridays off.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Timothy Meeks can be reached on 571-272-1423. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

/Erma Cameron/
Primary Examiner
Art Unit 1792

October 31, 2008